

669-87

DA 9/18  
(S)  
PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Broeders et al.

Examiner: Popovics, Robert J.  
(anticipated)

Applicant No.: 09/732,299

Group Art Unit: 1724

Filed: December 8, 2000

Docket No.: 669-87

Confirmation No: 2667

(CAN168/JTD)  
Date: September 17, 2002

FOR: WASTEWATER SEPARATOR AND  
METHOD OF USING SAME

RECEIVED  
SEP 25 2002  
OFFICE OF PETITIONS

I hereby certify this correspondence is being  
Deposited with United States Postal Service as first class  
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Commissioner of Patents, Washington, D.C.

20231, on September 17, 2002

Signature  / Barbara Kemmlein

Commissioner for Patents  
Washington, D.C. 20231

**NOTIFICATION OF ERROR IN PAYMENT OF FEES**  
**AS A SMALL ENTITY PURSUANT TO 37 C.F.R. §1.28(c)**

Sir:

On December 7, 2000, a small entity assertion was erroneously filed in this application. That assertion was made by erroneously submitting the basic filing of a small entity. Please note that Applicants did submit at the time of filing, claim fees associated with a large entity. Applicants respectfully submit that the error in submitting the basic filing fee of a small entity was made in good faith and was not made with any attempt to deceive the Office.

It has now been discovered that this application incorrectly claims small entity status and that such status as a small entity was established in error. Pursuant to 37 C.F.R. §1.28(c)(1), please accept this statement to correct the erroneously claimed small entity status.

Submitted herewith is an itemized statement of the deficiencies owed pursuant to 37 C.F.R. §1.28(c)(2) and a check in the amount of \$695.00 representing the deficiency payment.

Please charge any deficiency or credit any overpayment to Deposit Account No. 08-2461.

Adjustment date: 09/25/2002 AWONDAF1  
02/21/2001 SSANDARA 00000007 09732299  
01 FC:201 -355.00 OP  
Adjustment date: 09/25/2002 AWONDAF1  
03/29/2001 HNDOR1 00000001 09732299  
01 FC:202 -200.00 OP  
02 FC:203 -90.00 OP

09/25/2002 AWONDAF1 00000101 09732299

01 FC:101 740.00 OP  
02 FC:102 420.00 OP  
03 FC:103 180.00 OP

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Filed concurrently herewith is an Associate Power of Attorney executed by the Principal Attorney of Record.

**ITEMIZATION OF THE DEFICIENCY PAYMENT**

| <b>Fees Erroneously Paid<br/>As A Small Entity</b>  | <b>Fee Actually Paid<br/>As A Small Entity</b> | <b>Deficiency Owed</b> |
|---|--|------------------------|
| A. Filing Fee paid on December 7, 2000  | \$355.00                                       | \$385.00 ✓             |
| B. Fee for excess of total 10 claims<br>(over 20) paid on December 7, 2000<br>less refund by Office on April 4, 2001. | \$ 90.00                                       | \$ 90.00 ✓             |
| C. Fee for excess independent claims<br>(over 3) paid on December 7, 2000<br>less refund by Office on April 4, 2001.  | \$200.00                                       | \$220.00 ✓             |
| D. Fee for multiple dependent claims paid<br>on December 7, 2000 less refund by<br>Office on April 4, 2001            | 00.00  | 00.00                  |
| Total   | \$645.00                                       | \$695.00               |

On December 7, 2001, Applicants submitted the following fees:

1. \$ 252.00 fee for total claims (over 20) which was reported as thirty-four (34) claims.
  2. \$ 400.00 fee for independent claims (over 3) which was reported as eight (8) claims.
  3. \$ 270.00 fee for multiple dependent claims.
  4. \$ 355.00 basic utility fee (small entity).
  5. \$ 40.00 assignment recordation fee.
- \$1,317.00 Total Fee Paid

A copy of the return post card and a copy of the transmittal letter evidencing payment of these fees are attached.

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On April 4, 2001, the Office refunded Applicants a total of \$632.00 by check, a copy of which is enclosed. The refund is believed to represent the following:

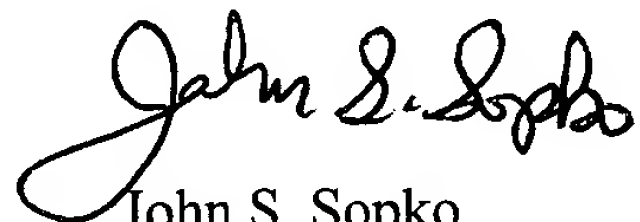
- |    |                 |   |
|----|-----------------|---|
| 1. | \$270.00        | refund for multiple dependent claims which apparently were not accepted as multiple dependent claims by the Office. |
| 2. | \$200.00        | refund for the total (8) independent claims at small entity rate.   |
| 3. | <u>\$162.00</u> | refund for total (30) claims at small entity rate.  |
|    | \$632.00        | Total Refund.   |

Thus, the application contained a total of thirty (30) claims, eight (8) independent claims and zero (0) multiple dependent claims after initial processing by the Office. A copy of the filing receipt evidencing these claim totals is enclosed herewith.

Thus, the above-identified deficiency payment represents the payment for a large entity of (1) the basic utility filing fee, (2) claim fee for the total of thirty (30) claims; and (3) claim fee for the total of eight (8) independent claims.

If the Examiner has any questions concerning this submission, he is encouraged to contact the undersigned attorney.

Respectfully submitted,



John S. Sopko  
Attorney for Applicant  
Reg. No. 41,321

HOFFMANN & BARON, LLP  
6900 Jericho Turnpike  
Syosset, New York 11791  
(973) 331-1700

PIASETZKI & NENNIGER  
120 Adelaide Street West  
Suite 2308  
Toronto, Ontario, Canada  
M5H 1T1

Telephone (416) 955-0050  
Fax (416) 955-0053



December 7, 2000

Our File No.: CAN168/JTN

The Commissioner of Patents & Trademarks  
Washington, D.C., U.S.A. 20231

Dear Sir:

Transmitted herewith for filing is the patent application of

Inventor(s): **Nicholas Broeders; James Mantyla; Scott Baldwin; and  
Dan Merrington**

For: **WASTEWATER SEPARATOR AND METHOD OF USING SAME**

The following papers are also enclosed:

- 3 sheets of Informal drawings in triplicate
- X An assignment of the invention to **CANPLAS INDUSTRIES LTD.**


Please accord this application "small entity" status.

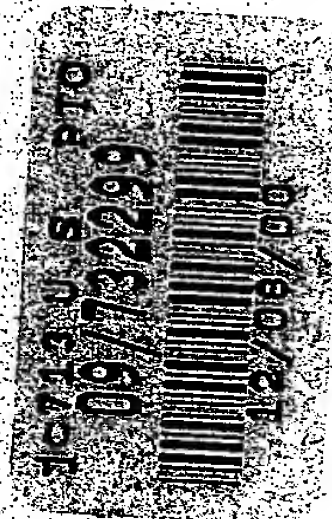
|                     | CLAIMS AS FILED |                 |           |                      |            |
|---------------------|-----------------|-----------------|-----------|----------------------|------------|
|                     | Number<br>Filed | Number<br>Extra | Full Rate | Small Entity<br>Rate | TOTAL      |
| Total Claims        | 34              | - 20 = 14 X     | \$18.00   | \$9.00               | = \$252.00 |
| Independent Claims  | 8               | - 3 = 5 X       | \$80.00   | \$40.00              | = \$400.00 |
| Multiple Dependency | 2               | Flat Rate       | \$270.00  | \$135.00             | = \$270.00 |

Base Fee = \$355.00  
Assignment Record Fee = \$40.00  
TOTAL FEES = \$1,317.00

- X Please find enclosed cheque no. 0711 in the amount of **\$1,317.00**.  
Duplicate copies of this sheet are enclosed.

Respectfully submitted,  
**PIASETZKI & NENNIGER**

  
James T. Nenniger  
Registration No. 32,670

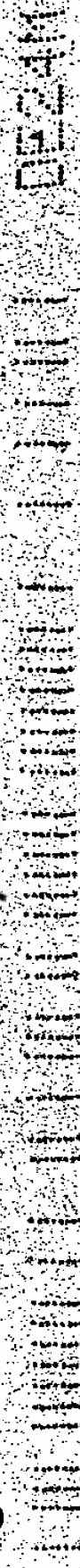


The Patent Office hereby acknowledges receipt of the following document(s):

New Patent Application, Declaration, Assignment, cheque \$1,317.<sup>00</sup> (U.S.) Dated Dec. 7, 2000

Due Date: Feb. 23, 2001  
Serial No: \_\_\_\_\_  
Filing Date: \_\_\_\_\_  
Applicant: Camplos Industries Ltd.  
Agent Ref: CAN168/JIV

Please Apply  
Official Receipt  
Date Stamp  
Here





United States Treasury 15-51  
000

G 012,920,128

Check No.

04 04 01 5 PHILADELPHIA, PA  
13100001 M2 TO

2049 58490773

20010118 R ND

Pay to  
the order of

PIASETZKI AND NENNIGER  
120 ADELAIDE STREET WEST  
SUITE 2308  
TORONTO, M5H 1T1 CN 00000

\*\*\*\*\*632\*00

VOID AFTER ONE YEAR

PER ENCLOSED MAILING NOTICE

165  
Michael Chanso  
REGIONAL DISBURSING OFFICER

20493 000000518 584907730 010401

NOTICE TO CHECK RECIPIENT

TREASURY-FINANCIAL MANAGEMENT SERVICE TFS FORM 3090(Rev.)

VENDOR NAME: PIASETZKI AND NENNIGER

VENDOR I.D.  
NUMBER: REFUND

AGENCY NAME  
AND BILLING  
ADDRESS: PATENT & TRADEMARK OFFICE  
2011 CRYSTAL DRIVE  
CRYSTAL PARK 1, SUITE 802  
ARLINGTON VA 22202

U.S. TREASURY REG.  
FINANCIAL CENTER:

PHILADELPHIA, PA

CHECK NUMBER  
2049-58490773

CHECK AMOUNT  
\*\*\*\*\*632.00

CHECK DATE  
04-04-01

MAILROOM DATE: 12/08/2000  
SERIAL NUMBER: 09732299  
AMOUNT REFUNDED: 632.00  
OVERPAYMENT FOR A SERVICE  
CUSTOMER SEND \$632.00 EXTRA FOR CLAIMS  
FOR QUESTIONS RELATING TO REFUND, CONTACT  
CYNTHIA STREATER - 703-3065430  
03/29/2001

AGENCY SCHEDULE NUMBER  
M120010118

AGENCY TELEPHONE NUMBER  
703-305-8083

APR 10 2001

PLEASE DIRECT ANY INQUIRIES CONCERNING THIS PAYMENT TO THE AGENCY AT THE ADDRESS (OR PHONE NUMBER) INDICATED ABOVE

File - CAN168

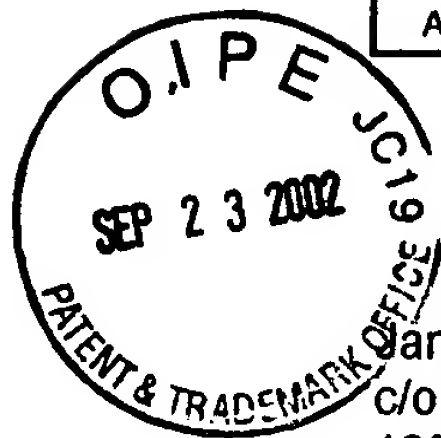




## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

| APPLICATION NUMBER | FILING DATE | GRP ART UNIT | FIL FEE REC'D | ATTY. DOCKET NO | DRAWINGS | TOT CLAIMS | IND CLAIMS |
|--------------------|-------------|--------------|---------------|-----------------|----------|------------|------------|
| 09/732,299         | 12/08/2000  | 1723         | 645           | CAN168/JTN      | 3        | 30         | 8          |



James T. Nenniger  
c/o Piasetzki & Nenniger  
120 Adelaide Street West, Suite 2308  
Toronto, ON M5H 1T1  
CANADA

RECEIVED

APR 17 2001

CONFIRMATION NO. 2667

## FILING RECEIPT



\*OC000000005937392\*

Date Mailed: 04/05/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Nicholas Broeders, Stroud, CANADA;  
James Mantyla, Barrie, CANADA;  
Scott Baldwin, Barrie, CANADA;  
Dan Merrington, Barrie, CANADA;

## Assignment For Published Patent Application

CANPLAS INDUSTRIES LTD.;

## Domestic Priority data as claimed by applicant

## Foreign Applications

CANADA 2,299,134 02/23/2000

If Required, Foreign Filing License Granted 03/05/2001

Projected Publication Date: To Be Determined - pending completion of Corrected Papers

Non-Publication Request: No

Early Publication Request: No

**J**

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